



GSA National Capital Region

June 8, 2022

CAC-Motir Joint Venture LLC
1508 East Capitol St NE Washington, DC
20003-1507 USA

Reference: Request for Equitable Adjustment 47PM1119C0006

Mr. Irono,

As Of May 23, 2022, I am the Contract Officer for Contract 47PM0420C0005, the firm, fixed-price contract for design build services (the "Contract"). As the Contracting Officer I am responding to your latest communication with the former Contracting Officer, Michael Spriggs, regarding CAC-Motir Joint Venture, LLC submittal dated April 21, 2022. As an initial matter, the document submitted by CAC-Motir was in draft form. Accordingly, we do not have a final document to review and analyze. Notwithstanding that, we have been diligently working to address the issues raised in the document. As you may know, the document is over 900 pages and raises approximately 40 different types of issues and is taking, and will continue to take, many man hours to review.

Second, the draft document submitted was a request for an equitable adjustment, not a claim. Therefore, even if the document was in its final form, FAR part 33.211 is not applicable.

Third, from the review of the draft document conducted to date, it appears that CAC-Motir is treating the contract as a cost reimbursable contract, which is not in accordance with the terms and conditions of the Contract. I suggest CAC-Motir review FAR part 16 to become familiar with the firm, fixed-price contract type. Under this type of contract, among other things, a contractor does not get reimbursed for its costs and it must show entitlement for an equitable adjustment.

Additionally, our review shows CAC-Motir does not appear to understand the design-build delivery method set forth in the Contract. I suggest CAC-Motir review the Contract's terms and conditions.

By this letter, I am attempting, in good faith, to continue the efforts of Michael Spriggs and the Director of Contracting, Shantá Cardiel, to assist CAC-Motir in preparing and submitting a request for equitable adjustment.

If you have any additional questions or concerns, please feel free to contact me. I look forward to working with you to bring this matter to a timely resolution.

Thanks
Sincerely,

Robert Jackson,
Contracting Officer
Construction Service Center 4